

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOHN JOSEPH FORJONE, etc., et al.,

Plaintiffs,

06-CV-0080A(Sc)

vs.

The States of CALIFORNIA, et al.,

Defendants.

**MOTION TO DISMISS, CHANGE VENUE,
OR FOR A MORE DEFINITE STATEMENT**

MOTION BY:

Defendants Eliot Spitzer, New York State Attorney General, and “the New York State Secretary of State”.

RELIEF SOUGHT:

Dismissal of amended complaint pursuant to Rules 12(b)(6); or change of venue to Northern District of New York, pursuant to 28 U.S.C. § 1404(a); or order requiring plaintiffs to file a more definite statement, pursuant to Rule 8(a) of the F.R.Cv.P.

WHEN RETURNABLE:

On papers and without appearance, or at a date and time to be set by the Court.

WHERE RETURNABLE:

6th Floor, U.S. Courthouse, 68 Court Street, Buffalo, New York 14202

SUPPORTING PAPERS:

March 13, 2006, declaration of Peter B. Sullivan.

DATED: Buffalo, New York
March 13, 2006

ELIOT SPITZER
Attorney General of the
State of New York
Attorney for Defendants
BY:
S/PeterB. Sullivan
PETER B. SULLIVAN
Peter.Sullivan@oag.state.ny.us
Assistant Attorney General
of Counsel
107 Delaware Avenue
Statler Towers - 4th Floor
Buffalo, New York 14202
(716) 853-8473